

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *ef* D.C.
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JAMES PLAIN,

Plaintiff,

v.

No. 05-2075-DV

METROPOLITAN LIFE INSURANCE
COMPANY METLIFE DISABILITY,

Defendant.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TENNESSEE

**ORDER GRANTING DEFENDANT'S
MOTION TO REMAND PLAINTIFF'S BENEFITS CLAIM
TO THE CURRENT CLAIM ADMINISTRATOR**

Before the Court is the Motion of Defendant, Metropolitan Life Insurance Company, to Remand Plaintiff's Benefits Claim to the Current Claim Administrator for the Cingular Wireless Disability Program for Bargained Employees (the "Plan"). Plaintiff does not oppose the relief requested by MetLife in its Motion.

The Court finds the Motion is well-taken. Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The case is remanded to the current Claim Administrator for the Plan for further investigation of all relevant and necessary information, to consider all relevant evidence and apply the appropriate standards, and to reach a determination of whether Plaintiff is entitled to short-term disability benefits under the Plan for the period of time from May 27, 2004 through February 13, 2005.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on *10/14/05*

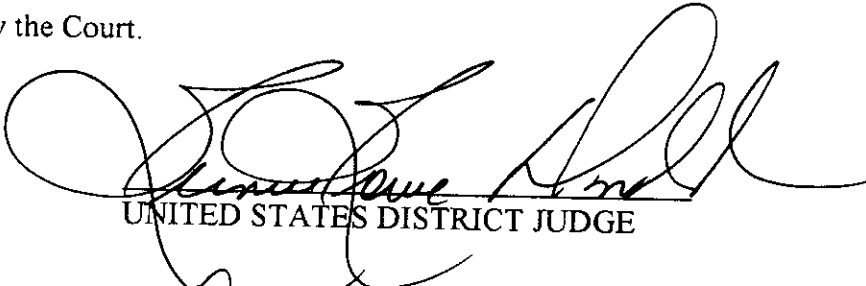
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2. Plaintiff shall provide to the current Claim Administrator any medical records or other additional materials that he wishes for the Claim Administrator to consider in reviewing the claim by November 15, 2005.

3. The current Claim Administrator shall then issue its decision on the merits of Plaintiff's claim by December 30, 2005.

4. The case shall be held in abeyance and it is not necessary for the parties to file motions for judgment on the record at this time.

5. Within thirty (30) days after the current Claims Administrator issues its decision on the merits of Plaintiff's claim, the parties shall advise the Court in writing of such decision and of what issues, if any, remain for resolution by the Court.


UNITED STATES DISTRICT JUDGE
Date: October 14, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:05-CV-02075 was distributed by fax, mail, or direct printing on October 17, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT